

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

<b>YASSIR HASSAN,</b>	:	<b>CIVIL ACTION</b>
<b>Petitioner</b>	:	
	:	
<b>v.</b>	:	<b>NO. 05-757</b>
	:	
<b>ROBERT J. MALVESTUTO, et al,</b>	:	
<b>Respondents</b>	:	

**O R D E R**

**STENGEL, J.**

AND NOW, this 18th day of August, 2005, upon careful and independent consideration of the petition for a writ of *habeas corpus*, and after review of the Report and Recommendation of Chief United States Magistrate Judge M. Faith Angell, and Petitioner's Objections thereto, IT IS HEREBY ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED.
2. Petitioner's Objections are OVERRULED.
3. The petition for writ of *habeas corpus* is DISMISSED with prejudice as untimely.
4. There is no probable cause to issue a certificate of appealability.
5. The Clerk of the Court shall mark this case closed for all purposes.

BY THE COURT:

/s/ Lawrence F. Stengel  
LAWRENCE F. STENGEL, J.